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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/086,483	02/28/2002	Jeffrey L. Beseth	702.161	2117

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EXAMINER

TRAN, THANH Y

ART UNIT

PAPER NUMBER

2892

NOTIFICATION DATE

DELIVERY MODE

07/21/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATENTS@GARMIN.COM

### Office Action Summary

**Application No.**

10/086,483

**Applicant(s)**

BESETH ET AL.

**Examiner**

THANH Y. TRAN

**Art Unit**

2892

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 April 2008.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 32-43 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☒ Claim(s) 37-43 is/are allowed.  
6) ☒ Claim(s) 32-36 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)  
3) ☐ Information Disclosure Statement(s) (PTO/CDC)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 32-34 and 36 are rejected under 35 U.S.C. 102(b) as being anticipated by Chen (U.S. 6,590,848).

As to claim 32, Chen discloses in figures 3, 7 and 8 an avionic instrument mounting system, comprising: a first mounting frame (“front panel” 24) adapted for mounting to an avionic mounting surface, the first mounting frame (“front panel” 24) presenting a first mounting surface aligned in a first plane and a second mounting surface aligned in a second plane substantially parallel to the first plane; wherein the first mounting surface includes a first pair of substantially parallel flanges (see a pair of “vertical flanges”/(vertical sidewalls of 24)) and the second mounting surface includes a second pair of substantially parallel flanges (see a pair of “horizontal flanges”/(horizontal sidewalls of 24)) aligned at approximately ninety degrees to the first pair of flanges (vertical sidewalls of 24); and a second mounting frame (“cage” 22) coupled to the first mounting surface for securing an electronic module (“storage device” 30, figure 7) to the first mounting frame (24).

As to claim 33, Chen discloses in figures 3, 7 and 8 an avionic instrument mounting system, wherein a cross-section of the second mounting frame (“cage” 22) includes a long axis

and a short axis, and wherein the second mounting frame (22) is coupled to the first mounting frame (24) with the long axis oriented vertically (see figure 7).

As to claim 34, Chen discloses in figures 3, 7 and 8 an avionic instrument mounting system, wherein the flanges (vertical sidewalls of 24) of the first mounting surface are substantially vertically aligned and the flanges (horizontal sidewalls of 24) of the second mounting surface are substantially horizontally aligned.

As to claim 36, Chen discloses in figures 3, 7 and 8 an avionic instrument mounting system, wherein the first mounting frame ("front panel" 24) provides a horizontal range of mounting locations along which the second mounting frame ("cage" 22) may be coupled thereto (see figures 2-3 and 7-8).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chen (U.S. 6,590,848) in view of Moss et al (U.S. 6,144,549).

As to claim 35, Chen does not disclose a display unit located directly in front of the first mounting frame, the display unit having a vertical range of mounting locations with along the first mounting frame.

Moss et al discloses in figure 2 a display unit (240) located directly in front of a mounting frame (200), the display unit (240) having a vertical range of mounting locations with along the mounting frame (200). It should be noted that: the display unit 240 is coupled to the mounting frame 200 via hinges 270 which include a vertical range of mounting locations when the frame 200 is vertically rotated. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the mounting system of Chen by having a display unit located directly in front of the first mounting frame, and the display unit having a vertical range of mounting locations with along the first mounting frame as taught by Moss et al for providing a flat panel display module for the PC/ "computer system".

#### ***Allowable Subject Matter***

5. Claims 37-43 are allowed.
6. The following is an examiner's statement of reasons for allowance:

The prior art of record and to the examiner's knowledge does not teach or render obvious, at least to the skilled artisan, the instant invention regarding an avionic instrument mounting system comprising: a first mounting frame having a first mounting surface including a first pair

of substantially parallel flanges and a second mounting surface including a second pair of substantially parallel flanges aligned at approximately ninety degrees to the first pair of flanges; and a display unit located directly in front of the first mounting frame; particularly characterized by having a second mounting frame operable to be at least partially inserted within the first mounting frame to secure an electronic module at least partially within the first mounting frame such that the secured electronic module is at least partially covered by the display unit, as recited in independent claims 37 and 38. Claims 39-43 are dependent upon independent claim 38.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Response to Arguments***

7. Applicant's arguments with respect to claims 32-36 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

**Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THANH Y. TRAN whose telephone number is (571)272-2110. The examiner can normally be reached on M-F (9-6:30pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thao X. Le can be reached on (571) 272-1708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. Y. T./

Examiner, Art Unit 2892

/Phuc T Dang/

Primary Examiner, Art Unit 2892

